

The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

NO. 20CR149-RAJ

Plaintiff,

## GOVERNMENT'S SENTENCING MEMORANDUM

V.

JACOB D. LITTLE

**Defendant.**

The United States of America, by and through Nicholas W. Brown, United States Attorney for the Western District of Washington, and Catherine L. Crisham, Assistant United States Attorney for said District, hereby files this Sentencing Memorandum in the above-captioned case. Sentencing is scheduled for Friday, February 3, 2023, at 11:00 a.m.

As set forth below, United States asks this Court to sentence Defendant Jacob Little to time served, to be followed by three years of supervised release, with the standard and special conditions proposed by the Probation Office.

## **FACTUAL BACKGROUND**

## A. Defendant's Criminal Conduct on May 30, 2020

On May 30, 2020, there was a large protest gathering in downtown Seattle in response to the murder of George Floyd. Thousands of people attended the gathering in protest of police brutality and to voice their support for important causes involving equal

1 justice. Nearly all the protestors acted responsibly and lawfully. Unfortunately, a small  
 2 number of people – including the Defendant – took advantage of the surrounding events to  
 3 commit criminal acts.

4       In the afternoon of May 30, 2020, civil unrest began to occur in a concentrated area  
 5 in downtown Seattle—namely, from Fourth Avenue to Sixth Avenue and from Olive Way  
 6 to Pike Street. This included the destruction of five SPD vehicles that were parked in the  
 7 1600 block of Sixth Avenue and one additional SPD vehicle that was parked in the 500  
 8 block of Pine Street. These SPD vehicles were heavily damaged by protesters. This  
 9 destruction included breaking off the windshield wipers and side view mirrors; breaking out  
 10 the vehicle windows with rocks and poles; and removing various equipment, to include  
 11 video recording equipment, ballistic helmets, uniforms emergency medical equipment, fire  
 12 extinguishers and a total of five firearms.

13       Surveillance photographs and videos taken that day show the Defendant reaching  
 14 into one of the vandalized SPD vehicles and removing a rifle bag from the broken rear  
 15 window. This rifle bag contained an SPD-issued, loaded Colt M4 rifle with a suppressor.  
 16 Surveillance photographs show the Defendant walking away from the SPD vehicle carrying  
 17 the large, rectangular shaped rifle bag that contained the Colt rifle and suppressor.

18       The Defendant subsequently posted a video to his Snapchat account that showed him  
 19 smashing the front window of a police vehicle using an SPD-issued laptop computer at what  
 20 appeared to be the 1600 block of Sixth Avenue in Seattle. The video also included a photo  
 21 of the Defendant posing in front of a defaced SPD vehicle.

22       After receiving tips and reviewing video footage from that day, law enforcement was  
 23 able to identify Little as the individual who stole the rifle bag from the vandalized police  
 24 vehicle. On July 20, 2020, SPD and the Bureau of Alcohol, Tobacco, Firearms and  
 25 Explosives (ATF) executed a warrant to search Little’s home and phone. Investigators  
 26 seized Little’s phone, as well as clothing and a backpack that matched what the individual  
 27 believed to have stolen the rifle was wearing on May 30. Investigators also located a loaded  
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1 Glock firearm under the driver's seat of Little's vehicle, as well as multiple firearms in  
 2 Little's bedroom. Law enforcement did not locate the rifle, its suppressor, or the rifle bag.

3       Law enforcement subsequently obtained a warrant to search the Defendant's cell  
 4 phone. A review of the cell phone recovered several messages in which the Defendant  
 5 discussed having attended the protests and riots. In another series of electronic messages  
 6 dated May 31, 2020, the Defendant attempted to negotiate the sale of the stolen SPD rifle  
 7 and suppressor. In one message, the Defendant wrote: "I took off the red dot and the  
 8 flashlight and the sling so I'll let it go for 9. Suppressor still on it."

9       Several months after Little's arrest, law enforcement received a tip from a citizen that  
 10 the stolen firearm had been buried on private property in Marysville. Acting on this  
 11 information, law enforcement recovered the firearm on June 2, 2021.

12 **B. State Charges Filed Against Little**

13       On October 13, 2020, the King County Prosecuting Attorney's Office (KCPAO)  
 14 filed an Information charging the Defendant with the crime of Assault in the Second Degree  
 15 and alleging that the Defendant shot an individual on August 30, 2020. On January 20,  
 16 2021, the KCPAO charged the Defendant with Second Degree Murder and Second Degree  
 17 Assault arising out of the same August 30 incident.

18       The King County case arises out of a shooting that occurred in the early morning  
 19 hours of August 30, 2020 during a gathering of over 200 car enthusiasts in the parking lot of  
 20 the Uwajimaya grocery store in Renton. Multiple fights broke out among the attendees, and  
 21 witnesses reported seeing multiple people shooting into the air and at least one suspect,  
 22 subsequently identified as the Defendant, shooting into the air into a group of people and at  
 23 an individual. Law enforcement subsequently determined, via witness statements and  
 24 newly acquired video evidence, that the Defendant had shot and killed one individual and  
 25 shot and injured another.

26       Little has been arraigned on the King County case and is pending trial in that matter.  
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1 | **C. Little Pleads Guilty to Federal Charge**

2 | On September 16, 2022, Little pled guilty to the lone charge in the Indictment. The  
 3 | parties agreed to jointly recommend a custodial sentence of 16 months. By the time of his  
 4 | upcoming sentencing hearing, Little will have served 28 months in custody for his offense.

5 | **PRESENTENCE REPORT AND ADVISORY GUIDELINES RANGE**

6 | The Presentence Report accurately summarizes the offense conduct in this case, as  
 7 | well as the total offense level of 17, criminal history category of I, and resulting advisory  
 8 | Guidelines range of 24 to 30 months.

9 | **SENTENCING RECOMMENDATION**

10 | The government respectfully asks the Court to impose a sentence of time served, to  
  | be followed by a three-year term of supervised release with all standard and special  
  | conditions recommended by the Probation Office. An analysis of this case through the  
  | prism of the various sentencing factors found at Title 18, United States Code, Section  
  | 3553(a) supports the government's position this sentence is appropriate and necessary in  
  | light of the seriousness of Little's crimes and the danger he poses to the community. The  
  | government will address the various operable sentencing factors in turn below.

17 | **A. Nature and Circumstances of the Offense**

18 | The offense Little committed was both violent and dangerous. As described in the  
  | complaint and plea agreement, Little took advantage of the chaos and unrest in downtown  
  | Seattle on May 30, 2020, by stealing a bag containing a SPD-issued rifle and suppressor  
  | from a vandalized police vehicle. The next day, after removing the rifle's red dot sight,  
  | flashlight, and sling, Little negotiated the sale of the rifle and suppressor to another  
  | individual. In addition to stealing the police rifle, Little also deliberately used a laptop  
  | computer to smash the window of a SPD vehicle that was parked in downtown Seattle for  
  | the purposes of conducting crowd control during the protests-turned-riots. He then proudly  
  | posted a video and photo of his vandalism to his Snapchat account.

27 | Little was one of a relatively small number of people who hijacked the otherwise  
 28 | lawful protests on May 30 and helped to create a scene of chaotic civil disorder. He did not

1 lose control at the protests in the heat of the moment. Instead, he took advantage of lawful  
 2 protests, intended to highlight the issue of racial injustice, to vandalize a police vehicle and  
 3 steal an SPD-issued rifle and suppressor. Given time to contemplate his actions, Little did  
 4 not attempt to atone for his conduct by returning the rifle to law enforcement. Instead, he  
 5 quickly moved to make money by selling the rifle – which remained unrecovered for almost  
 6 a year.

7       The nature and circumstances of Little’s offense clearly warranted a significant  
 8 punishment, and the government agrees with the Probation Office that the 28 months he has  
 9 already spent in custody are more than sufficient punishment.

10 **B. Defendant’s History and Characteristics/Need to Protect the Public**

11       Little’s personal history and characteristics contain both mitigating and aggravating  
 12 aspects. Unlike many defendants who appear before this Court, Little has no prior criminal  
 13 convictions. He also grew up in what appears to be a stable household with parents who  
 14 loved and provided for him. Despite this, during adolescence Little began experimenting  
 15 with drugs and was expelled from high school. His Facebook messages indicate that prior  
 16 to the instant offense, he had previously been involved in negotiating firearms purchases  
 17 with multiple individuals, as well as someone who was previously involved in negotiating  
 18 drug sales. His conduct in this case – stealing an SPD-issued rifle and suppressor from a  
 19 vandalized police car and then immediately turning around and selling it – is extremely  
 20 concerning and makes clear that he poses a danger to the community.

21       The government agrees with the Probation Office that the time that Little has served  
 22 in custody on this matter sufficiently addresses both his history and the risk he poses to the  
 23 public.

24 **C. Need for the Sentence to Reflect the Seriousness of the Offense, to Provide Just  
 25 Punishment and to Afford Adequate Deterrence to Criminal Conduct**

26       As noted above, Little was part of a relatively small number of individuals who  
 27 commandeered the otherwise peaceful protests on May 30 to wreak havoc, vandalize  
 28 property, and commit crimes. The right to peaceful protest is one of the most important and

1   cherished rights we enjoy in this country and it is important to ensure that citizens remain  
2   free to express their views freely. Individuals like Little who abused these lawful protests to  
3   vandalize property and steal a rifle not only risked the safety of the peaceful protestors but  
4   also undercut the causes they were championing. The sentence Little has served reflects  
5   how serious his offense was and will send a strong deterrent effect to others who might seek  
6   to undermine legitimate protests and public gatherings in the future.

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1                   **CONCLUSION**

2                   For the foregoing reasons, the government respectfully requests that with respect to  
3 the criminal case, the Court sentence Little to time served, to be followed by three years of  
4 supervised release, with the standard and special conditions proposed by the Probation  
5 Office.

6                   DATED this 24 th day of January, 2023.

7                   Respectfully submitted,

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9                   NICHOLAS W. BROWN  
10                   United States Attorney

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12                   /s/ *Catherine L. Crisham*

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